

REMARKS

Claims 2-11, 13-15 and 18-19 are pending in the application. Claims 2-11 and 13-15 and 18-19 have been rejected. This Amendment amends claim 9 to clarify claim language. No new matter has been added. In view of the foregoing amendments and the following remarks, Applicants request allowance of the application.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

Claims 2-8, 10-11, 13-15 and 18-19 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regard as the invention. Specifically, the Office Action alleges that there is no meaningful interpretation found for “a collective behavior of a mobile device” in the specification. However, the claims recite “a collective behavior” of *multiple devices*. For example, claim 5 recites “a collective behavior of a mobile device, a middleware server and a backend server.” Further, ¶ [0024] of the specification provides a detailed description of “a collective behavior” of multiple devices. Withdrawal of the 35 U.S.C. 112, second paragraph rejections is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 2-3, 13-14, and 18-19, stand rejected under 35 U.S.C. 103(a) as being obvious over Sudharshana et al. (OTA Mobile Device Software Development, hereafter “Sudharshana”), in view of Mutler et al. (US 2002/0040369, hereafter “Mutler”). Claims 4 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sudharshana and Mutler, further in view of Caufield et al. (US Pat. Pub. 2007/0177571) (hereinafter “Caufield”). Claims 5-8 stand rejected under 35 U.S.C. 103(a) as being obvious over Chasman et al. (US Pat. Pub. 2007/0180075) (hereinafter “Chasman”), in view of Caufield, further in view of Sudharshana. Claim 9 stands rejected under 35 U.S.C. 103(a) as being obvious over Mutler, in view of Sudharshana. Claims 10-11 stand rejected under 35 U.S.C. 103(a) as being obvious over Kjellberg et al. (US Pat. Pub. 2003/0084165) (hereinafter “Kjellberg”), in view of Sudharshana.

Even under KSR, obviousness is not shown unless the collected art teaches all elements of the pending claims. *See, Ex Parte Wollenhaupt*, BPAI, Appeal No. 2007-3142 (Mar 13, 2008). Here, the claims define elements that are not disclosed by any cited reference. Applicant

respectfully requests withdrawal of the outstanding rejections because the cited prior art references do not teach or suggest all elements of the pending claims

Claims 18 and 19 Define Over Cited References

Claim 18 recites, in relevant part:

storing an application descriptor for the distributed application on a server accessible by the computing device(s), the application descriptor storing: a list of all resources necessary for the distributed application, and **a representation of configuration settings for each computing device participating in the distributed application** with respective resources for the distributed application installed thereon; and ...

Claim 19 contains these identical features. Neither of the cited references, Sudharshana or Mutler, teaches or suggests these bolded features.

The Sudharshana reference refers to an architecture for over the air management of software on a mobile device. The Mutler reference refers to a system or device to update data in the device with data received from other systems or provide data to other systems to update themselves. Although the Office Action alleges Sudharshana and Mutler teaches an application descriptor as a data structure at a server, cited portions of the references concern different matters and even their combination do not teach the claimed features. Mutler in Fig. 12-13 and [0241] only mentions an object hierarchy for the format of a data package. Sudharshana in Fig. 3 only mentions a configuration database at the server. Neither Sudharshana nor Mutler teaches or suggests **"storing an application descriptor for the distributed application on a server"** as claimed.

Further, Sudharshana is not clear what is stored in the configuration database at the server. As previously discussed (Response filed on January 30, 2009), Sudharshana uses a server side Management Information Base (MIB) and a client side Patch Profile to store information. The MIB stores information for each terminal that the Management Server manages and different software patches ME needs to download. The client side Patch Profile stores version and resource information only for the respective client device. Neither the MIB nor the Patch Profiles stores **"a representation of configuration settings for each computing device participating in the distributed application"** as claimed. Mutler only mentions an object hierarchy but says nothing regarding configuration settings. Thus, Mutler cure the defects of Sudharshana. Accordingly, Sudharshana and Mutler, either alone or in

combination, fail to disclose each and every feature recited in the independent claims 18 and 19, and the rejection should be withdrawn.

Moreover, the Office Action merely asserts it would be obvious to combine Sudharshana and Mutler but fails to recognize that Mutler's data structure is a data format for a data package to be transmitted between different systems not for storing information at a server. Nothing in either Sudharshana or Mutler teaches modifying a client configuration database stored at a server to a data structure to "efficiently manage device-specific application resources" as alleged in the Office Action. Thus, the Office Action has failed to establish a *prima facie* case of obviousness of the independent claims 18 and 19, and the rejection should be withdrawn.

Dependent claims 2-3 and 13-14 depend from claims 18 and 19 respectively and are allowable for at least the same reasons as described above for their respective independent claims 18 and 19. Dependent claims 4 and 15 depend from claims 18 and 19 respectively and the Caufield reference fails to cure the defects of Sudharshana and Mutler. Withdrawal of the rejections and reconsideration is respectfully requested.

Claim 5 Defines Over Cited References

Claim 5 recites, in relevant part:

storing **an application descriptor**, the application descriptor describing the association between the first resource, the second resource, the third resource and, respectively, the mobile device, the middleware server and the backend server, and **the application descriptor maintaining a representation of configuration settings for each mobile device participating in the software application**, wherein the representation of configuration settings includes resources that are currently installed on a respective mobile device with respect to the software application.

None of the cited references, Caufield, Chasman, and Sudharshana, teaches or suggests these features.

The Office Action concedes Chasman does not disclose the above bolded features but alleges Caufield and Sudharshana cure the deficiency. See Office Action, pages 8-9. However, Caufield merely describes user profiles in [0024], rules about device types in [0026] and a user id associating with a device type in [0028] but does not disclose an application descriptor. There is no indication in Caufield of an application descriptor storing **"a representation of configuration settings for each mobile device participating in the software**

application” as claimed. Further, Sudharshana uses a MIB on the server side and a Patch Profile on the client side. The Office Action acknowledges there is only a client configuration database but no **“application descriptor”** in Sudharshana. Therefore, Chasman, Caufield and Sudharshana, either alone or in combination, fail to disclose each and every feature recited in the independent claim 5, and the rejection should be withdrawn.

Dependent claims 6-8 depend from claim 5 and are allowable for at least the same reasons as described above for claim 5. Withdrawal of the rejections and reconsideration is respectfully requested.

Claim 9 Defines Over Cited References

Claim 9 recites, in relevant part:

a second unique identifier specifying a computing device to participate in the software application;
at least one third unique identifier specifying at least one resource type, wherein the third unique identifier is associated with the at least one second unique identifier indicating that a resource identified by the at least one resource type is to be installed on the at least one computing device; and
an association between each of the at least one computing device and the at least one resource type, wherein the association is formed by associating the third unique identifier with the second unique identifier, and **the association is used to generate a fourth unique identifier** for the resource to be installed on the at least one computing device.

Neither Mutler nor Sudharshana teaches or suggests these features. Mutler is directed to an object hierarchy of a data package and the Office Action concedes Mutler does not disclose generating a unique identifier for a resource to be installed on a computing device. Although, the Office Action alleges Sudharshana disclose the feature, Sudharshana never mentions a device ID. Instead, Sudharshana only stores an ME *model* ID. Further, it is not inherent that Sudharshana will have a device ID at all because the *model* ID may be used as client authentication credentials to authenticate a device. Thus, Sudharshana does not disclose **“a second unique identifier specifying a computing device”** and accordingly, Sudharshana does not teach or suggest an **“association”** between a computing device and a resource type to be **“used to generate a fourth unique identifier”** as claimed. Accordingly, Mutler and Sudharshana, either alone or in combination, fail to disclose each and every feature recited in the independent claim 9, and the rejection should be withdrawn.

Claim 10 Defines Over Cited References

Claim 10 recites, in relevant part:

a database for storing at least **one application descriptor**, the at least one application descriptor representing an association between the distributed software application, computing devices participating in the distributed software application and resources to be associated with the computing devices, and wherein the at least one application descriptor **maintains a representation of configuration settings for each of the computing devices** participating in the distributed software application, wherein the representation of configuration settings includes information about resources currently installed on a respective computing device with respect to the distributed software application; and

Neither Kjellberg nor Sudharshana teaches or suggests these features. The Office Action concedes that Kjellberg does not disclose the “**application descriptor**” but alleges Sudharshana discloses these features. However, with respect to claim 18, the Office Action on page 6 explicitly concedes Sudharshana does not show this feature either and relied on Mutler to cure the defects. As discussed above with respect to claim 18, even Sudharshana and Mutler does not show this feature either. Therefore, Kjellberg and Sudharshana, either alone or in combination, fail to disclose each and every feature recited in the independent claim 10, and the rejection should be withdrawn.

Dependent claim 11 depends from claim 10 is allowable for at least the same reasons as for claim 10. Withdrawal of the rejection and reconsideration is respectfully requested.

CONCLUSION

All outstanding rejections have been overcome. It is respectfully submitted that, in view of the foregoing amendments and remarks, the application is in clear condition for allowance. Issuance of a Notice of Allowance is earnestly solicited.

Although not believed necessary, the Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600.

The Office is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

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